APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/073,748	05/06/1998	CRAIG DAVID WEISSMAN	20308.702	1160

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EXAMINER
COLBERT, ELLA

ART UNIT	PAPER NUMBER
3624	

DATE MAILED: 02/24/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 07-01)

Office Action Summary	Application No. 09/073,748	Applicant(s) WEISSMAN ET AL.
	Examiner Ella Colbert	Art Unit 3624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _04 December 2002_ .

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _133-165_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _133-165_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____ .

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4)☐ Interview Summary (PTO-413) Paper No(s). _____ .
5)☐ Notice of Informal Patent Application (PTO-152)
6)☐ Other: .

DETAILED ACTION

1.   Claims 133-165 are pending in this communication filed 12/04/02 entered as

Response, paper no. 22.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

3.   Claim 133-165 are rejected under 35 U.S.C. 103(a) as being unpatentable over

(US 5,721,903) Anand et al, hereafter Anand in view of (US 6128,624) Papierniak et al,

hereafter Papierniak.

With respect to claims 133, 141,149, and 163, Anand teaches, providing a metadata system that includes a metadata schema, a facility for entering instructions into the metadata schema, and a facility for manipulating the metadata schema (col. 1, lines 5-19 and lines 38-46, col. 3, lines 59-62, and col. 15, lines 44-48); receiving instructions from a user, the instructions are entered into the metadata schema and are used to create a business database system (col. 1, lines 27-62, col. 2, lines 1-16, and col. 4, lines 4-12 and lines 23-28); and automatically generating the business database system according to the instructions contained in the metadata schema such that the business database system is well-formed (col. 4, lines 29-50). Anand teaches all of the claim limitations of claims 133, 141, and 149 except a business database system.

Papierniak discloses a business database system (col. 5, lines 39-59, col. 15, lines 11-25, col. 17, lines 52-65, fig. 8 (302, 312) and fig. 9). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have a business database and to combine Anand's metadata system with Papierniak's business database system and to modify in Anand in view of his teachings of a data warehouse because such a modification would allow Anand to store large amounts of transaction-level data for later analysis and to have the ability to seek a competitive edge in business.

With respect to claim 141, Anand teaches, a computer (col. 2, lines 21-25); a processor (col. 5, lines 64-67 and col. 6, lines 1-4); and a computer program stored in memory and executed by the processor including the computer program with instructions (col. 5, lines 50-62).

With respect to claim 149, Anand teaches, a computer readable storage medium encoded with software instructions (col. 5, lines 60-62).

With respect to claims 134, 142, and 150, Anand teaches, automatically generating tables according to the instructions (col. 11, lines 28-40). Papierniak discloses automatically generating tables according to the instructions (col. 21, lines 39-67, col.24, lines 5-67, and col. 25, lines 1-10).

With respect to claims 135, 143, and 151, Anand teaches, extracting data from sources specified in the instructions (col. 11, lines 28-40); loading the data into staging tables (col. 10, lines 30-37, col. 11, lines 17-31 and lines 45-55, and col. 14, lines 36-39); and loading the data from the staging tables into the business database system based on semantic definitions provide in the instructions (col. 4, lines 60-67 and col. 9, lines 29-37). Anand did not teach staging tables but it would have been obvious to one having ordinary skill in the art at the time the invention was made to have staging tables and to modify in Anand and in view of Anand's teaching of relational tables in the data warehouse and because such a modification would allow Anand to map some company specific information to a customer's data warehouse and to store the information in a set of relational tables.

With respect to claims 136, 144, and 152, Anand teaches, building aggregate tables according to the instructions (col. 15, lines 34-55).

With respect to claims 137, 145, and 153, Anand teaches, receiving further instructions from a user to define a query mechanism (col. 11, lines 34-55) and generating queries according to the further instructions (col. 13, lines 33-67 and col. 14, lines 40-49). Papierniak discloses receiving further instructions from a user to define a query mechanism (col. 14, lines 63-67 and col. 1-5) and generating queries according to the further instructions (col. 2, lines 10-33).

With respect to claims 138, 146, and 154, Anand teaches, generating reports according to the instructions (col. 14, lines 55-67 and col. 15, lines 1-14).

With respect to claims 139, 147, and 155, Anand teaches, receiving a modification of the metadata schema (col. 2, lines 1-9) and automatically adjusting the business database system according to the modification (col. 2, lines 9-16, col. 3, lines 48-55, and col. 9, lines 60-65). Papierniak discloses receiving a modification of the metadata schema (col. 22, lines 60-67 and col. 23, lines 1-3) and automatically adjusting the business database system according to the modification (col. 23, lines 4-38).

With respect to claims 140, 148, and 156, Anand teaches, the instructions provide semantic definitions (col. 10, lines 30-37) and the business database system is automatically generated using the semantic definitions such that the business database system is well-formed (col. 17, lines 6-27 and col. 18, lines 38-61).

With respect to claims 157, 159, 161, and 164, Anand teaches, further comprising loading data into the business database system according to the instructions contained in the metadata schema (col. 4, lines 19-28).

With respect to claims 158, 160, 162, and 165, Anand teaches, further comprising operating on the business database system according to the instructions contained in the metadata schema (col. 7, lines 16-25).

Response to Arguments

4.   Applicant's arguments filed 12/04/02 have been fully considered but they are not persuasive.

1.   Applicants' argue: Anand, therefore, does not disclose or suggest "automatically generating the business database system according to instructions contained in a metadata schema such that the business database system is well-

formed" as recited in claim 133 and Papierniak fails to cure these basic deficiencies of

Anand has been considered but is not persuasive because col. 11, lines 18-31 of the

Anand reference do not state that this is performed as a manual process. In fact, col.

11, lines 18-31 recite "Metadata 25 is initially created during installation of the present

invention at the customer's site. The process of creating the metadata 25 is illustrated

in more detail in Fig. 7. What is included in within the metadata 25 depends on the

industry (some metadata 25 will be industry-specific and usable by all companies in that

industry), ...". There is nothing to indicate from this column and line numbers that the

process is a manual process in put by a human being. It is interpreted as being an

automatic process. Furthermore, the information has to be entered by some means to

create a well-formed business database system even though the instructions are

contained in the metadata schema. Applicants' are requested to clarify what is meant by

"automatically generating" in their claim language. The Examiner understands the

standard accepted meaning of "automatically generating" but it is not clear what

Applicants' mean by their "automatically generating."

2.   Applicants' argue: Even if Anand and Papierniak were combined, the

combination would neither teach nor suggest "automatically generating the business

database system according to instructions contained in the metadata schema such that

the business database system is well-formed", as recited in claim 133 has been

considered but is not persuasive because Under section 103 (a) of Title 35 of the United

States Code, the Examiner carefully drew up a correspondence between each of

Applicants' claimed limitations, what is know to one having ordinary skill in the art at the

time the invention was made, and one or more referenced passages in Anand and

Papierniak.

The Examiner is entitled to give the claim limitations their broadest reasonable

interpretation in light of the Specification (see below):

2111   Claim Interpretation; Broadest Reasonable Interpretation [R-1]

>CLAIMS MUST BE GIVEN THEIR BROADEST REASONABLE INTERPRETATION

During patent examination, the pending claims must be "given the broadest reasonable interpretation consistent with the specification." Applicant always has the opportunity to amend the claims during prosecution and broad interpretation by the examiner reduces the possibility that the claim, once issued, will be interpreted more broadly than is justified. In re Prater, 162 USPO 541,550-51 (CCA 1969)<.

Conclusion

5.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

Inquiries

6.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Ella Colbert whose telephone number is 703-308-7064.

The examiner can normally be reached on Monday-Thursday from 6:30 am -5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Vincent Millin can be reached on 703-308-1038. The fax phone numbers

for the organization where this application or proceeding is assigned are 703-305-7687

for Official communications and 703-746-5622 for Unofficial communications.

Any inquiry of a general nature or relating to the status of this application or

proceeding should be directed to the receptionist whose telephone number is 703-308-

1113.

E. Colbert
February 19, 2003

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